

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**NATIONAL CITY BANK OF
PENNSYLVANIA,**

Plaintiff,

Vs.

SCOTT L. BUGAJ, ET AL.,

Defendants.

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CASE NO.1:06CV068

JUDGE CHRISTOPHER A. BOYKO

ORDER

CHRISTOPHER A. BOYKO, J:

This matter is before the Court on Plaintiff's Motion for Default Judgment(ECF Dkt#12).

The Court will hold in abeyance the Motion pending receipt of the following information:

- 1) Proof that the affidavit Regarding Account and Competency and Military Status is executed by a person having a proper legal connection to Plaintiff.
- 2) Clarification under oath on how National City Home Loan Services is the Promissory Note holder and owner of the mortgage in apparent contradiction of the named Plaintiff National City Bank of Pennsylvania. (The affidavit of Anthony Brandstetter, Affidavit Regarding Account and Competency and Military Status, states National City Home Loan Services is the Plaintiff and the holder and owner of the promissory note and mortgage.)

Plaintiff shall be granted until May 4, 2006, to furnish the above information. Failure to

comply on or before the above date shall result in the Court overruling Plaintiff's Motion for Default Judgment. Also, the Court finds Plaintiff's Counsel has failed to conform the Default Judgment and Decree in Foreclosure Order to the terms expressly requested by the Court. Continued failure to correct future proposed Orders may result in denials of Default Judgment motions.

IT IS SO ORDERED.

April 25, 2006
Date

s/ Christopher A. Boyko
CHRISTOPHER A. BOYKO
United States District Judge